



St. Joseph High School

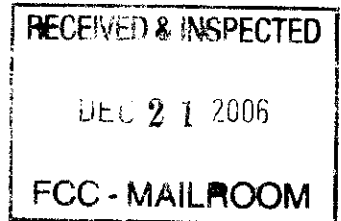
PLOT #3 MOUNT PLEASANT
ROUTE 2, FREDERIKSTED
ST. CROIX, U.S. VIRGIN ISLANDS 00840

Tel: (340) 692-2455
Fax: (340) 692-2458

December 18, 2006

Federal Communications Commission
Office of the Secretary
100 South Jefferson Road
445 12th Street, SW
Washington, DC 20554

RE: CC Docket 02-6
St. Joseph High School
Form 471 Application #: 170343



Dear Sir/Madame:

Enclosed is St. Joseph High School's appeal to your agency. This document was mailed on October 20, 2006 in order to meet the deadline to for appeals to the FCC. This document is not registered in your system; therefore I am forwarding a copy to your attention. Attached are the Postal Express Mail Customer Copy Form and the Certificate of Mailing Form 3817 which verifies the transmission of our document.

Please contact me to verify receipt.

Sincerely,

Marla L. Matthew
Marla L. Matthew
Principal

xc: Adrian Wright, Telecommunications Analyst

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Time Accepted 4:36 AM	Scheduled Time of Delivery 10/22	ODD Fee \$
Flat Rate <input type="checkbox"/> or Weight 133 lbs	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>	Insurance Fee \$20.65
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Mo. Day		<input type="checkbox"/> PM	

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FROM: (PLEASE PRINT)

PHONE

340 692-2455**ST. JOSEPH High School
#3 EST Mount Pleasant, RR#2
F'STED, ST. CROIX, VI 00840**

TO: (PLEASE PRINT)

PHONE ()

**FEDERAL Communications Commission
Office of the SECRETARY
9300 EAST HAMPTON DRIVE
Capitol Heights, Maryland**

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#3 EST Mount Pleasant, RR#2 F'STED
ST. CROIX, VI 00840**

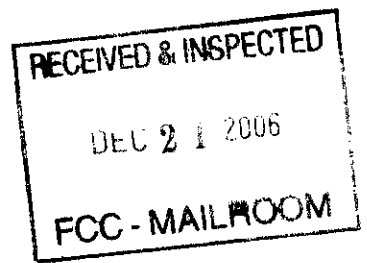
One piece of ordinary mail addressed to:

**FEDERAL COMMUNICATIONS Commission
OFFICE OF THE SECRETARY
9300 EAST HAMPTON DRIVE
CAPITOL HEIGHTS, MARYLAND 20743**

PS Form 3817, January 2001

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**“Request for Review
Appeal & Support Documents”**

Presented To

Federal Communications Commission
CC Docket No. 02-6

By

St. Joseph High School
Plot#3 Mount Pleasant
RR2 Frederiksted
St. Croix, VI 00840

October 20, 2006



St. Joseph High School

PLOT #3 MOUNT PLEASANT

ROUTE 2, FREDERIKSTED

ST. CROIX, U.S. VIRGIN ISLANDS 00840

TEL: (340) 692-2455

FAX: (340) 692-2458

October 19, 2006

**CC Docket No.02-6
Request for Review**

Federal Communications Commission
Office of the Secretary
100 South Jefferson Road
445 12th Street SW
Washington, DC 20554

Dear FCC Secretary:

On behalf of St. Joseph High School, I, Marla L. Matthew, Principal, hereby submit this correspondence to request a review of the school's denial of appeal by Universal USAC. USAC has indicated that our appeal was postmarked more than 60 days after the date the Funding Commitment Decision Letter was issued. To this end, we concur that there exist a basis for further examination of our case; therefore we submit this file to the Federal Communications Commission (FCC), referencing CC Docket No. 02-6.

This appeal addresses Funding Year 2000 commencing July 1, 2000 and ending June 30, 2001 as it relates to the following:

Funding Request Numbers:	365480	Spin Name:	VITELCO.....	\$ 12,937.50
	365324	Spin Name:	Dell Marketing LP.....	\$ 38,386.01
	365368	Spin Name:	Lindsey Electronics.....	\$ 85,525.11
Form Identifier:	Internet			
Billed Entity Name:	St. Joseph High School			
Form 471 Application No:	170343			
Billed Entity Number:	209820			
FCC Registration:	13366281			

We are appealing the Universal Service Administrative Company (USAC), Schools and Libraries Division findings as noted on page 4 of each of the Notification of Commitment Letters, dated August 12, 2006, which states that *"After a thorough investigation, it has been determined that funds were improperly disbursed on this funding request. During the course of an audit it was determined that the applicant did not pay any of the non-discounted portion. FCC rules require applicants to pay the non-discount portion of the products or services purchased with universal service discounts. Applicants that do not pay the non-discount portion more than 90 days after completion of services have violated this rule. Consequently, the program rules have been violated. Accordingly, the SLD is seeking recovery of any disbursed funds."*

In determining a process to conduct this investigation, I elected to approach solving the problem from another angle and contacted the vendors involved to see if they had documentation of payments made by or on behalf of St. Joseph High School during the period in question. I have succeeded in contacting two of the three service providers referenced in Funding Request Numbers 365480 - Virgin Islands Telephone Corporation and 365324 - Dell Marketing, LP. They have provided documentation of transactions which we believe show that St. Joseph High School did in fact pay the non-discount portion of products and services acquired from them. These documents are attached herewith as Appendices A and B, Virgin Islands Telephone Corporation (VITELCO) and Dell Corporation, LP, respectively.

Virgin Islands Telephone Corporation

VITELCO'S records show a payment of \$12,937.50 which was made on November 29, 2001 and another payment for \$1,995.00 paid on January 25, 2002. Credits were received on bill Numbers 37.508 and 48.077. (See Appendix A, Pages D1 and E1) Additionally, we have submitted from VITELCO the telephone bills which were paid 100% by the school. (See Appendix A, Pages F1 - F4 Accounts Receivable Information)

Bill Number	Bill Date	Amount	Description	
19.626	10/30/00	\$ 14,375.00	Charges	
37.508	04/30/01	1,437.50 CR	Promotional Credit	
48.077	07/30/01	928.67 CR	Credit Jun 28- Jul 25	
63.860	11/30/01	12,937.50 CR	Payment Date 11/29/01	Check #60850
78.713	02/28/2002	1,995.00 CR	Payment Date 01.5/02	Check #1053

Dell Marketing, LP

Dell's records show that St. Joseph High School ordered equipment totaling \$42,651.12.12 and that the account was paid in full as of February 9, 2001. These transactions were recorded on five individual statements - # 388903759, 388907370, 395736689, 388957359 and 388908691 (See Appendix B)

Invoice No.	Invoice Date	Invoice Total	Payment	Payment Date	Amount Paid
388907370	06/18/00	\$ 6,346.18	Credit Card	10/13/00	\$ 634.61
388957359	06/16/00	\$11,087.36	Credit Card	10/13/00	\$ 1,108.70
395736689	07/10/00	\$11,815.96	Credit Card	10/13/00	\$ 1,181.50
388903759	06/29/00	\$11,123.62	Credit Card	10/13/00	\$ 1,112.39
	Invoice Total	\$ 40,373.12	10 % Compliance Met		\$ 4,037.20

Invoice Paid (No Record Available)

Invoice No.	Invoice Date	Invoice Total	This invoice is not outstanding; however, no record of payment has been found to date.
388908691	06/14/00	\$ 2,278.00	

Lindsey Electronics, Inc.

As to the service provider, Lindsey Electronics, Inc., continued efforts to locate Mr. Ronald Lindsey the only known principal of that company have been unsuccessful. The V. I. Department of Licensing and Consumer Affairs was contacted; however, no current or past listings exist for a business registered under Lindsey Electronics, Inc. or Ronald Lindsey, Sole Proprietor. Information dating back to 2000 shows that Mr. Lindsey appears as the principal of LEI Technology LLC. That company has been delinquent in paying licensing fees and filing related documents since 2000 and the phone number listed with the department is no longer in service.

Additionally, I placed calls to everyone I know on St. Croix who may have known Ronald Lindsey. So far, I have been unable to find him. I have the mailing address that he used. But the cell phone number he listed is no longer in service. We have taken advantage of the fact that the Virgin Islands comprise a very small community and personally appealed to every person or entity known to us to have had contact with Mr. Lindsey. To date, we have contacted the following and we detail the results of each inquiry:

1. Other Computer and Electronics Consultants

(D. Canton, P. Phillips, D. Roberts)

Response

None of them has heard of or had contact with Mr. Lindsey since at least 2001.

2. Members of Rotary Club

Fellow members of the club reported that Mr. Lindsey had left St. Croix and moved to Atlanta, Georgia. Attempts were made to contact him at three numbers provided. One was no longer in service. Messages were left on electronic answering systems at the other numbers.

3. Other Attempts to Contact:

1. An email message was sent to the last known email address for Mr. Lindsey. The message was returned undelivered from lei-tech@lei-tech.com on Wed. July 12, 2006.

(See copy of Failed Action - Appendix C)

2. A certified letter was sent to his last known U.S. Postal Service mailing address. This letter has not been returned nor has the USPS Return Receipt Signature Card. (See copy of letter in Appendix C)

The unraveling of this information in preparation for this appeal has been an arduous task. Contributing to this difficulty is the fact that none of the individuals employed at St. Joseph

High School in FY 2000-2001 are currently employed here. Additionally, numerous leadership and staff changes have occurred:

<u>Name and Title</u>	<u>Dates of Employment</u>
Ms. Danielle Swanston, Computer Teacher	Some time before 2004
Sr. Claina Letang, Principal	June 2000 - June 2001
Dr. Susan Diverio, Principal	June 2001- June 2004
Father William Montgomery, Principal	August - December 2004
Mrs. Jocelyn Hodgson, Principal	January - June 2005
Ms. Marla L. Matthew, Principal	June 2005 - Present

These leadership and staff changes have greatly impacted our ability to research and address this matter. Furthermore, although a Board of Directors with jurisdiction for the finances of the school was appointed in October 2003, it appears that previous principals failed to inform the Board of the audit report and of their failure to respond within the time provided.

Although I was not employed by St. Joseph at the time of the application for FY2000-2001, we feel that it is imperative that we file this request to review this case on behalf of St. Joseph High School, the only Catholic high school on St. Croix. I cannot allow another opportunity to pass without giving an official response, since from what I have gathered, opportunities to respond on behalf of the school were missed in January 2004, December 2004 and January 2005.

At the time of receipt of the Notification of Commitment Adjustment Letters, I had not been debriefed on the extensive financial situations that have resulted during FY 2000-2001 funding or subsequent audit. The records on file at the school consist only of copies of the audit report. The school's financial records are kept at the Office of the Diocese of the Virgin Islands on St. Thomas. I have relied on Mrs. Kathleen McMurtrie Laseter, Director of Finance, to access the Diocesan financial records related to St. Joseph High School.

In closing, I am requesting that all mail be forwarded to my attention. USAC was and is still sending correspondence addressed to other individuals no longer employed at the school (ie. Danielle Swanston, Joselyn Hodgson). This presents a hardship because it delays us making a timely response.

Thank you for considering this detailed report that serves as a basis for our request for a review and appeal to your agency. I look forward to your response to this request.

Respectfully,


Marla L. Matthew

Principal
St. Joseph High School
3 Est. Mount Pleasant, RR#2
Frederiksted, St. Croix, V.I. 00840

Tel: (340) 692-2455
Fax: (340) 692-2458
Email: mmatthew@stx.k12.vi



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2000-2001

August 22, 2006

Marla L. Matthew
St. Joseph High School
Plot #3 Mount Pleasant
Route 2 Frederiksted
St. Croix, U.S. Virgin Islands 00840

Re: Applicant Name:	St. Joseph High School
Billed Entity Number:	209820
Form 471 Application Number:	170343
Funding Request Number(s):	365480, 365324, 365368
Decision Letter Date:	May 12, 2006
Date Appeal Postmarked:	July 12, 2006
Your Correspondence Dated:	July 11, 2006

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Schools and Library Division (SLD) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

RECEIVED SEP 14 2006
DELIVERED SEP 14 2006

Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840



Universal Service Administrative Company
Schools & Libraries Division

Notification of Commitment Adjustment Letter

Funding Year 2000: 7/01/2000 - 6/30/2001

May 12, 2006

Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840

Re: Form 471 Application Number: 170343
Funding Year: 2000
Applicant's Form Identifier: Internet
Billed Entity Number: 209820
FCC Registration Number: 13366281
SPIN Name: Dell Marketing LP
Service Provider Contact Person: Craig Jackson

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Craig Jackson
Dell Marketing LP

A GUIDE TO THE FUNDING COMMITMENT ADJUSTMENT REPORT

A report for each E-rate funding request from your application for which a commitment adjustment is required is attached to this letter. We are providing the following definitions for the items in that report.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each individual request in your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the applicant and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This number will only be present for "site specific" FRNs.

ORIGINAL FUNDING COMMITMENT: This represents the original amount of funding that SLD had reserved to reimburse you for the approved discounts for this service for this funding year.

COMMITMENT ADJUSTMENT AMOUNT: This represents the amount of funding that SLD has rescinded because of program rule violations.

ADJUSTED FUNDING COMMITMENT: This represents the adjusted total amount of funding that SLD has reserved to reimburse for the approved discounts for this service for this funding year. If this amount exceeds the Funds Disbursed to Date, the SLD will continue to process properly filed invoices up to the new commitment amount.

FUNDS DISBURSED TO DATE: This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

FUNDING COMMITMENT ADJUSTMENT EXPLANATION: This entry provides an explanation of the reason the adjustment was made.

**Funding Commitment Adjustment Report for
Form 471 Application Number: 170343**

p. 11

Funding Request Number:	365324
Services Ordered:	INTERNAL CONNECTIONS
SPIN:	143004340
Service Provider Name:	Dell Marketing LP
Contract Number:	471-209820
Billing Account Number:	692-2455
Site Identifier:	209820
Original Funding Commitment:	\$38,387.79
Commitment Adjustment Amount:	\$38,387.79
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$38,386.01
Funds to be Recovered from Applicant:	\$38,386.01
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that funds were improperly disbursed on this funding request. During the course of an audit it was determined that the applicant did not pay any of the non-discounted portion. FCC rules require applicants to pay the non-discount portion of the products or services purchased with universal service discounts. Applicants that do not pay the non-discount portion more than 90 days after completion of services have violated this rule. Consequently, the program rules have been violated. Accordingly, the SLD is seeking recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840



**Universal Service Administrative Company
Schools & Libraries Division**

Notification of Commitment Adjustment Letter

Funding Year 2000: 7/01/2000 - 6/30/2001

May 12, 2006

**Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840**

**Re: Form 471 Application Number: 170343
Funding Year: 2000
Applicant's Form Identifier: Internet
Billed Entity Number: 209820
FCC Registration Number: 13366281
SPIN Name: Virgin Islands Telephone Corporation
Service Provider Contact Person: Tisha Lake**

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Schools and Libraries Division
Universal Services Administrative Company

cc: Tisha Lake
Virgin Islands Telephone Corporation

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FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

FUNDING COMMITMENT ADJUSTMENT EXPLANATION: This entry provides an explanation of the reason the adjustment was made.

**Funding Commitment Adjustment Report for
Form 471 Application Number: 170343**

Funding Request Number:	365480
Services Ordered:	INTERNAL CONNECTIONS
SPIN:	143002713
Service Provider Name:	Virgin Islands Telephone Corporation
Contract Number:	MTM
Billing Account Number:	692-2455
Site Identifier:	209820
Original Funding Commitment:	\$14,375.01
Commitment Adjustment Amount:	\$14,375.01
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$12,937.50
Funds to be Recovered from Applicant:	\$12,937.50

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that funds were improperly disbursed on this funding request. During the course of an audit it was determined that the applicant did not pay any of the non-discounted portion. FCC rules require applicants to pay the non-discount portion of the products or services purchased with universal service discounts. Applicants that do not pay the non-discount portion more than 90 days after completion of services have violated this rule. Consequently, the program rules have been violated. Accordingly, the SLD is seeking recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840



**Universal Service Administrative Company
Schools & Libraries Division**

Notification of Commitment Adjustment Letter

Funding Year 2000: 7/01/2000 - 6/30/2001

May 12, 2006

**Danielle Swanston
ST JOSEPH HIGH SCHOOL
PLOT # 3 MOUNT PLEASANT RT 2 FREDERIKSTED
ST CROIX, VI 00840**

**Re: Form 471 Application Number: 170343
Funding Year: 2000
Applicant's Form Identifier: Internet
Billed Entity Number: 209820
FCC Registration Number: 13366281
SPIN Name: Lindsey Electronics, Inc
Service Provider Contact Person: Ronald Lindsey**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Ronald Lindsey
Lindsey Electronics, Inc

A GUIDE TO THE FUNDING COMMITMENT ADJUSTMENT REPORT

A report for each E-rate funding request from your application for which a commitment adjustment is required is attached to this letter. We are providing the following definitions for the items in that report.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each individual request in your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

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